

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 1573 of 2000

DATE: 27-04-2007

Between :

Vutukuri Kumari and 22 others

...

Petitioners

And

The District Collector,
Guntur and 2 others.

...

Respondents

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 1573 of 2000

ORDER:

The petitioners, who are 23 in number, claim to be landless poor belonging to weaker sections. It is stated that the third respondent following due process of law issued house site pattas to the petitioners along with several other similarly situated persons in the village in the month of Mach, 1999. The petitioners were put in possession and the plots were made ready for construction of houses. While so, the second respondent- Revenue Divisional Officer, passed the impugned order dated 30-09-1999 directing the third respondent to resume the land from the petitioners and assign the same to the eligible persons holding that the assignments made earlier were irregular. The said order has been challenged by the petitioners contending *inter alia* that the impugned order which was passed on an anonymous complaint without issuing any notice to the petitioners is arbitrary, illegal apart from being violative of principles of natural justice.

This Court, while directing Rule Nisi, by order dated 04-02-2000 ordered status quo as on that date shall be maintained. The said order continued to be in operation throughout and no counter affidavit has been filed by any of the respondents so far.

Having regard to the facts and circumstances of the case and in the light of the specific allegations that the impugned order was passed without notice to the petitioners, which remained un rebutted in the absence of any counter affidavit, the impugned

order is set aside and the writ petition is disposed of with a direction to the second respondent to pass appropriate orders afresh after issuing notice to the petitioners and after conducting due enquiry in accordance with law. No costs.

G. ROHINI, J.

Date 27-04-2007
KLP